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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Office action dated 5/22/09 regarding U.S. patent application number 10/734,601

Dear Sirs:

This letter is responsive to the office action dated 5/22/09 (copy attached) regarding U.S. patent application number 10/734,601.

Claim rejections under USC Section 102:

The examiner rejects claims 1 & 7 under 35 U.S.C. 102 as being unpatentable over Burns et al. (US Patent 5,129,096), stating as part of his reasoning that:

"pre-determined delays in such transceivers being calculated to cause a desired alignment in time of arrival of such re-transmitted wireless signals at a destination receiver (col.1 lines 54-63, "the time delay associated with each repeater being unique to that repeater" reads on "alignment in time of arrival" with reasonable broadest interpretation)"

While Burns specifically teaches away from having signals from multiple repeaters arrive simultaneously at a receiver, the examiner points out that in some embodiments of the present invention, the inventors have envisioned purposefully staggering the arrival of a repeated signal from multiple repeaters (such as in paragraph 045 of the pending application), and the examiner points out that such an embodiment could be construed to read on Burns.

We have therefore amended claim 1 to include the portions of the receiver which receives such staggered transmissions and separately demodulates them, and sums them in a correlated fashion to increase signal-to-noise ratio. Because Burns specifically teaches away from simultaneous arrival of signals (which is what is produced internally to the final receiver), we submit that Burns is neither section 102 reference nor a section 103 reference for claim 1 in its amended form. We therefore submit that claim 1 is now patentable.

Given that claim 7 is dependent on claim 1, we submit that claim 7 is patentable as it stands, given that claim 1 has been amended.